

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Allen Carl  
Serial No.: 10/016,266  
Filing Date: 10/30/2001  
Title: SELECTIVE DELIVERY OF CRYOGENIC ENERGY  
TO INTERVERTEBRAL DISC TISSUE AND  
RELATED METHODS OF INTRADISCAL  
HYPOTHERMIA THERAPY  
Group Art Unit: 3762  
Examiner: Unknown  
Attorney's Docket No: INTRIN.006A/CARL-1

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

POWER OF ATTORNEY

Dr. Allen Carl, being the owner of all right, title and interest in and to the above-identified patent application, hereby revokes all former Powers of Attorney granted with respect to said patent application and appoints Pandiscio & Pandiscio, a firm composed of Nicholas A. Pandiscio, Registration No. 17,293; Mark J. Pandiscio, Registration No. 30,883; James A. Sheridan, Registration No. 43,114; and Scott R. Foster, Registration No. 20,570; or any of them, all of 470 Totten Pond Road, Waltham, Massachusetts 02451-1914, as his attorneys, with full power of substitution, association and revocation, to prosecute and maintain said patent application, and to transact all business in the U.S. Patent and Trademark Office connected therewith.

Signed at Albany, New York, this 6<sup>th</sup> day of April, 2002.

By:

Allen Carl MD  
Dr. Allen Carl  
Applicant

PS/CARL1.POA

CARL-1

**DECLARATION - USA PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **SELECTIVE DELIVERY OF CRYOGENIC ENERGY TO INTERVERTEBRAL DISC TISSUE AND RELATED METHODS OF INTRADISCAL HYPOTHERMIA THERAPY**; the specification of which was filed on **October 30, 2001** as Application Serial No. **10/016,266**.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional application(s) listed below.

Application No.: 60/243,702

Filing Date: October 30, 2000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

-----

Full name of sole inventor: Allen Carl

Inventor's signature Allen Carl

Date 3/9/02

Residence: 308 Highgate Drive  
Slingerlands, NY 12159

Citizenship: United States of America

Post Office Address: same as above

---

Send Correspondence To:  
KNOBBE, MARTENS, OLSON & BEAR, LLP  
Customer No. 20,995

HE:DOCSAM.SAM-1988.DOC:5-1  
02/08/02